

REMARKS

New Claims 24 through 29 have been added. New Claim 24 includes all of the limitations of previous Claims 1, 2, and 3. New Claim 25 includes all of the limitations of previous Claims 1, 5, and 6. New Claim 26 includes all of limitations of previous Claims 1 and 9. New Claim 27 includes all of the limitations of previous Claims 15, 16, and 17. New Claim 28 includes all of the limitations of previous Claims 15, 16, and 18. New Claim 29 includes all the limitations of previous Claims 15 and 23.

Claim 10 which was originally dependent upon Claim 9 is now made dependent upon new Claim 26.

Claims 1 through 9 and 11 through 23 have been cancelled, since it is believed that the balance of the claims remaining in this Application after amendment adequately protects the Applicant's invention.

Reconsideration of the rejection of the claims remaining in this Application after amendment and allowance is respectfully requested.

Claims 1, 2, and 3, now incorporated together into new Claim 24, had been rejected previously under 35 U.S.C. 103a as being unpatentable over Curtis ('669) in view of Link ('721). The Examiner indicated that Curtis disclosed all of the limitations, but did not disclose the "fault indicator" of original Claim 3. The Examiner indicated that Link disclosed a fault indicator in its Abstract. The Examiner also indicated that it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the vacuum circuit of Curtis to incorporate the fault indicator as disclosed by Link in order to indicate the condition of the vacuum circuit.

The Applicant's attorney respectfully submits that contrary to what the Examiner has stated, new Claim 24 calls, not for a medium voltage circuit interrupter with a *fault indicator*, but rather one with an "*erosion indicator*". Link does teach a means for indicating the "position" of the contacts 20a, i.e., opened or closed with respect to the contact 26a. It is further indicated that a flag is provided, which is located in a position to show a "C" when the contact 20a is closed against the contact 26a. The flag also includes an "O" to indicate when the contact 20a is opened with respect to contact 26a. However, this is not what is

called for in the claim of the present invention. The Applicant's attorney respectfully calls the Examiner's attention to the Specification of the present Application on page 7, lines 12 through 19 thereof, where it is clearly indicated that an *erosion indicator* monitors contact wear, not contact *position* as is taught in Link. As is indicated in the Specification of the present Application, interrupter contacts 12 and 18, for example, can erode due to the burning off of surface material within the vacuum interrupter. The indicator 33 visually operates to show the *condition* of the contacts, not the *position* of the contacts. Said in another way, Link teaches the contacts of its circuit interrupter being in either one of two discrete positions, open or closed, i.e. "O" or "C". Whereas the wear indicator of the present invention is associated with a gradual continuous change in the contact position due to contact wear. It should further be noted that in addition to the indication of contact wear, the contacts of the present invention are always capable of being in the completely opened position or in the completely closed position, such as the contact arrangement referred to in Link. However, in the latter case, that means of indirection is not claimed.

The Examiner has indicated that Claims 6, 9, 10, 17, 18, and 23 of the original Application, thought objected to as being dependent upon a rejected base claim, would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. The Applicant's attorney respectfully submits that new Claims 25 through 29 meet the aforementioned criteria and therefore allowance is respectfully requested.



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